

CONFIDENTIAL – ATTORNEYS’ EYES ONLY MATERIAL – SUBJECT TO
CONFIDENTIALITY ORDER

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REDACTED

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

<p>NOVARTIS PHARMACEUTICALS CORPORATION, NOVARTIS CORPORATION, and NOVARTIS AG,</p> <p>Plaintiffs,</p> <p>v.</p> <p>WOCKHARDT USA LLC and WOCKHARDT LIMITED</p> <p>and</p> <p>SUN PHARMA GLOBAL FZE and SUN PHARMACEUTICAL INDUSTRIES LIMITED,</p> <p>Defendants.</p>	<p>Civil Action No.</p> <p>2:12-cv-03967-SDW-MCA</p> <p>[Consolidated with Civil Action Nos. 2:12-cv-04393, 2:13-cv-01028, 2:13-cv-02379, and 2:13-04669]</p> <p>FILED UNDER SEAL</p>
<p>NOVARTIS PHARMACEUTICALS CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>ACCORD HEALTHCARE INC.; ACTAVIS LLC; APOTEX, INC.; APOTEX, CORP.; GLAND PHARMA LTD.; DR. REDDY’S LABORATORIES, INC.; DR. REDDY’S LABORATORIES LTD.; EMCURE PHARMACEUTICALS USA, INC.; EMCURE PHARMACEUTICALS, LTD; FRESENIUS KABI USA, LLC; HIKMA FARMACEUTICA S.A.; HOSPIRA, INC.; PHARMACEUTICS INTERNATIONAL INC.; SAGENT PHARMACEUTICALS, INC.; ACS DOBFAR INFO S.A.; STRIDES, INC.; AGILA SPECIALTIES PRIVATE LTD.; SUN PHARMA GLOBAL FZE; CARACO PHARMACEUTICAL LABORATORIES, LTD.; SUN PHARMACEUTICAL INDUSTRIES LTD.; USV NORTH AMERICA, INC.; WOCKHARDT USA LLC; and WOCKHARDT LTD.,</p> <p>Defendants.</p>	

**DECLARATION OF ROBERT W. TRENCHARD IN SUPPORT OF
NOVARTIS’S RESPONSE TO CERTAIN DEFENDANTS’ REQUESTS TO
SUPPLEMENT THEIR MOTIONS TO DISMISS WITH AN FDA LETTER**

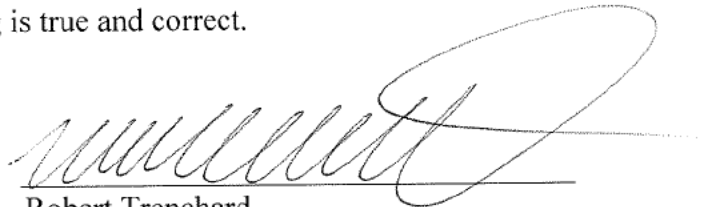
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I, Robert W. Trenchard, declare as follows:

1. I am a partner at Wilmer, Cutler, Pickering, Hale and Dorr LLP, 7 World Trade Center, 250 Greenwich St., New York, NY 10007, and counsel for Plaintiff Novartis Pharmaceuticals Corporation (“Novartis”) in this matter.
2. I submit this declaration in support of Novartis’s Response To Certain Defendants’ Requests To Supplement Their Motions To Dismiss With An FDA Letter.
3. Attached hereto are true and accurate copies of the following exhibits:
 - (1) Novartis’s Citizen Petition (March 1, 2013);
 - (2) FDA Letter Responding to Novartis’s Citizen Petition (August 1, 2013);
 - (3) (SEALED) Projected Sales Data from Generic [REDACTED];
 - (4) (SEALED) Sample ANDA Certification from Pharmaceutics International, Inc. [REDACTED]; and
 - (5) Novartis’s Request to Supplement the Record and for Reconsideration (August 23, 2013).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 23, 2013


Robert Trenchard